

**THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
GREAT FALLS DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

AMBER HALLING,

Defendant.

CR-05-106-GF-BMM

ORDER

United States Magistrate Judge John Johnston entered Findings and Recommendations in this matter on March 28, 2024. (Doc. 241.)

When a party makes no objections, the Court need not review *de novo* the proposed Findings and Recommendations. *Bad Old Man v. Arn*, 474 U.S. 140, 153-52 (1986). This Court will review Judge Johnston's Findings and Recommendations, however, for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981).

Judge Johnston conducted a revocation hearing on March 26, 2024. (Doc. 238.) The United States accused Amber Halling (Halling) 1) by using an internet capable cell phone that was not approved by her probation officer; 2) by possessing a camera phone that was not approved by her probation officer; 3) by knowingly associating with a person convicted of a felony; 4) by failing to provide truthful

answers to questions asked by her probation officer; and 5) by failing to complete her sex offender treatment program. (Doc. 227.)

At the revocation hearing, Halling admitted that she had violated the conditions of her supervised release by 1) by using an internet capable cell phone that was not approved by her probation officer; 2) by possessing a camera phone that was not approved by her probation officer; 3) by knowingly associating with a person convicted of a felony; and 4) by failing to complete her sex offender treatment program. Judge Johnston dismissed violation #4 on the government's motion. (Doc. 238.) Judge Johnston found that the violations Halling admitted proved to be serious and warranted revocation, and recommended that Halling receive a custodial sentence of 4 months with a lifetime of supervised release to follow. (Doc. 241.) Halling was advised of her right to appeal and her right to allocute before the undersigned. (Doc. 238.) The violation proves serious and warrants revocation of Halling's supervised release. The Court finds no clear error in Judge Johnston's Findings and Recommendations.

Accordingly, **IT IS ORDERED** that Judge Johnston's Findings and Recommendations (Doc. 241) are **ADOPTED IN FULL. IT IS FURTHER ORDERED** that Defendant Amber Halling be sentenced to the custody of the United States Bureau of Prisons for 4 months with a lifetime of supervised release to follow.

DATED this 15th day of April, 2024

A handwritten signature in blue ink, reading "Brian Morris". The signature is written in a cursive style with a horizontal line extending from the end of the name.

Brian Morris, Chief District Judge
United States District Court